



IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

#5  
LDT  
1-31-03

APPLICANTS: Philip J. Pines et al.

RECEIVED

SERIAL NO.: 09/943,781

NOV 20 2002

FILED: August 30, 2001

Technology Center 2100

TITLE: System and Method for Measuring Sample Arrival Rates on an Asynchronous Transport Network

EXAMINER: Unknown

ATTY.DKT.NO.: PA1589US

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

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PETITION FOR CORRECTION OF INVENTORSHIP  
Under 37 C.F.R. § 1.48(a) and 35 U.S.C. § 116

Technology Center 2100

SIR:

Pursuant to the provisions of 37 C.F.R. § 1.48(a) and 35 U.S.C. § 116, Applicants respectfully request the inventorship of the above-identified patent application be corrected in the application to represent the actual inventors of the invention being claimed. Applicants seek to correct this error which arose without deceptive intent. Accordingly, applicants request that the name of Steven Riley be added to the above-referenced application.

Applicants submit a statement from Steven Riley, affirming and acknowledging that the above-identified error in inventorship occurred without deceptive intent.

I affirm and acknowledge that the error in inventorship occurred without deceptive intention on my part.

Date: OCT. 11, 2002

  
Signature of Steven Riley

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Steven Riley

Applicants submit a statement from the assignee of record, Polycom, Inc., consenting to the change in inventorship as set forth above.

\_\_\_\_\_  
On behalf of Polycom, Inc., I consent to the change in inventorship as set forth above.

Date: 10 Oct 2002

Jeffrey C. Rodman  
Jeffrey C. Rodman, Chief Technical Officer  
for Polycom, Inc.

Applicants submit with this Petition the requisite fee as set forth under 37 CFR § 1.17(i). The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Account 06-0600. A copy of this Petition is included in duplicate for this purpose.

Respectfully submitted,

Philip J. Pines et al.

Dated: Nov. 12, 2002

By: Susan Yee  
Susan Yee, Reg. No. 41,388  
Carr & Ferrell LLP  
2225 East Bayshore Road, Suite 200  
Palo Alto, CA 94303  
TEL: (650) 812-3400  
FAX: (650) 812-3444

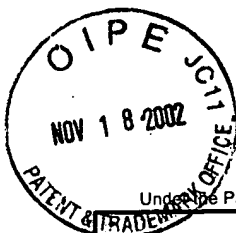


### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date printed below:

Dated: Nov. 12, 2002 By: *Susan Yee*  
Susan Yee, Reg. No. 41,388

**RECEIVED**  
NOV 20 2002  
Technology Center 2100

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Pines et al.Application No./Patent No.: 09/943,781 Filed/Issue Date: August 30, 2001Entitled: System & Method for Measuring Arrival Rates on an Asynchronous Transport NetworkPolycom, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10 Oct 2002

Date

Jeffrey C. Rodman

Typed or printed name

Signature

Chief Technical Officer

Title

Docket No. PA1589US

**ASSIGNMENT**

For good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned, Philip J. Pines ("Assignor"), do hereby sell, assign, and transfer to Polycom, Inc., a corporation with offices at 1565 Barber Lane, Milpitas, CA 95035 ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the U.S. Patent Application 09/943,781, filed August 30, 2001, entitled:

**"System and Method for Measuring Sample Arrival Rates on an Asynchronous Transport Network"**

and in and to said application and all utility, divisional, continuing, substitute, renewal, reissue, and all other patent applications which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States patent application; and

Agree that said Assignee may apply for and receive patents for said improvements in its own name; and that, when requested, at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives provided that Assignor shall be compensated for such acts at a rate to be mutually negotiated and agreed upon between the Assignor and Assignee; and

PJP

Docket No. PA1589US

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 22-Oct-2002Name: Philip J. Nier

**ASSIGNMENT**

For good and valuable consideration, the receipt of which is hereby acknowledged, we, the undersigned, **Philip J. Pines and Steven Riley**, do hereby sell, assign, and transfer to **Polycom, Inc.**, a corporation with offices at 1565 Barber Lane, Milpitas, CA 95035 ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the U.S. Patent Application 09/943,781, filed August 30, 2001, entitled:

**"System and Method for Measuring Sample Arrival Rates on an Asynchronous Transport Network"**

and in and to said application and all utility, divisional, continuing, substitute, renewal, reissue, and all other patent applications which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States patent application; and

Agree that said Assignee may apply for and receive patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Docket No. PA1589US

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: \_\_\_\_\_

Name: \_\_\_\_\_

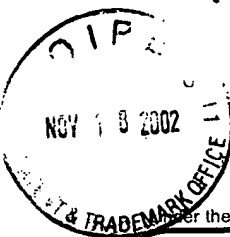
**Philip J. Pines**

Date: OCT. 11, 2002

Name: \_\_\_\_\_

**Steven Riley**





\$2152

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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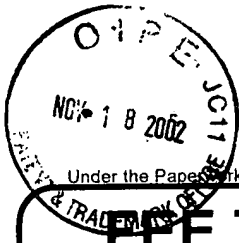
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/943,781	
	Filing Date	August 30, 2001	
	First Named Inventor	Pines <b>RECEIVED</b>	
	Group Art Unit	2152 <b>NOV 20 2002</b>	
	Examiner Name	Unknown <b>Technology Center 2100</b>	
Total Number of Pages in This Submission	20	Attorney Docket Number	PA1589US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): (1) Declaration and Power of Attorney (6 pages); (2) Statement Under 37 CFR 3.73(b); (3) Copy of Assignment (4 pages); (4) Postcard
Remarks Total page number does not include postcard and check.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Carr & Ferrell, LLP Susan Yee
Signature	<i>Susan Yee</i> Registration Number 41,388
Date	November 12, 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>November 12, 2002</u>	
Typed or printed name	Susan Yee
Signature	<i>Susan Yee</i> Date November 12, 2002

Burden Hour Statement: This form is estimated to take 02 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ ) 130.00**Complete if Known**

Application Number	09/943,781
Filing Date	August 30, 2001
First Named Inventor	Pines
Examiner Name	Unknown
Group Art Unit	2152
Attorney Docket No.	PA1589US

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	06-0600
Deposit Account Name	Carr & Ferrell, LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1)** (\$ ) 0**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
20	= 20	X 0	= 0
Independent Claims	= 3	X 0	= 0
Multiple Dependent		X 0	= 0

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or o	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 130**RECEIVED**  
NOV 20 2002  
Technology Center 2100**SUBMITTED BY**

Name (Print/Type)	Susan Yee	Registration No. (Attorney/Agent)	41,388	Telephone	(650) 812-3400
Signature	<i>Susan Yee</i>	Date	November 12, 2002		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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